



**REPORT of
CHIEF EXECUTIVE**

**to
SOUTH EASTERN AREA PLANNING COMMITTEE
22 MAY 2017**

Application Number	FUL/MAL/16/00299
Location	Land North of Latchingdon Bowls Club, Burnham Road, Latchingdon
Proposal	Full application for (1) the development of 41 homes, amenity space and a revised vehicular access from the Burnham Road, and (2) a new village hall and associated infrastructure, (no change is proposed to the existing village hall access
Applicant	Latchingdon South Ltd
Agent	Mr David Barker – Evolution Town Planning LLP
Target Decision Date	15 December 2016
Case Officer	Joy Thomas, TEL: 01621 875879
Parish	LATCHINGDON
Reason for Referral to the Committee / Council	Amendment to Officer Report on a major application

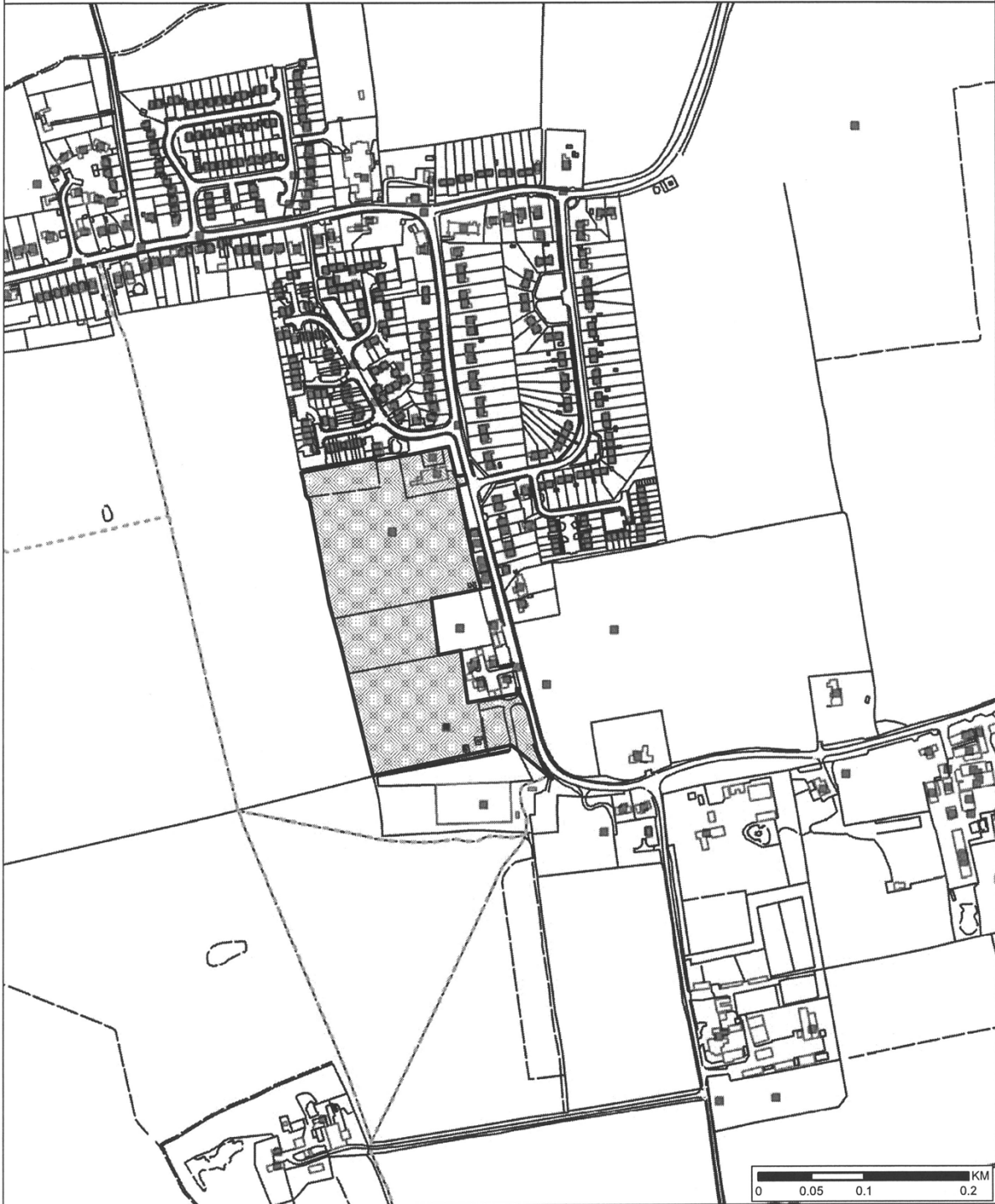
1. RECOMMENDATION


That Members agree that the Heads of Terms as reported in the Officer Report on 5 December 2016 be amended to exclude reference to the Early Years & Childcare contribution and to read “Education contribution toward secondary school transport based on the ECC standard formula”.

2. SITE MAP

Please see overleaf.

Land North Of Latchingdon Bowls Club, Burnham Road, Latchingdon
FUL/MAL/16/00299



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	SE Committee 16/00299/FUL
	Date:	11/05/2017
	MSA Number:	100018588

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3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application for the development of 41 homes, amenity space and a new village hall was approved at the South Eastern Area Planning Committee on 5 December 2016, subject to the completion of a S106 Legal Agreement. Following this, a draft S106 Legal Agreement was received at the end of March 2017. Included in the S106 Legal Agreement was the requirement for the owners to pay the education contribution, which was defined as “the Early Years Contribution and Secondary School Transport Contribution”.
- 3.1.2 The Minutes of the South Eastern Area Planning Committee meeting indicate that the contribution for Early Years and Childcare of £46,214 would be payable, as well as £31,024.50 for secondary school transport. However, on further investigation, whilst checking the draft S106 Legal Agreement, it has come to light that the consultation response for this application from ECC re: education states, in relation to Early Years and Childcare that “as there are sufficient places available a developer’s contribution towards new childcare places will not be required for this application at this point in time”.
- 3.1.3 It would appear that the reference in the officer’s committee report for this application had erroneously referred to the previous application (FUL/MAL/15/00093) when ECC had requested a contribution of £46,214 for Early Years and Childcare as well as a contribution for secondary school transport of £31,024.50. However, this request by ECC was made in May 2015 and the situation has changed since then and the ECC response to the current application is quoted in 3.1.2 above.
- 3.1.4 In respect of the request for a contribution towards secondary school transport, no figure was given in the ECC response for the current application although reference was made to the “standard formula section 106 agreement clauses that ensure the contribution would be fairly and reasonably related in scale and kind to the development”. The figure would not be the same as for the 2015 application as the house sizes are different.
- 3.1.5 Taking into account the above information, the Heads of Terms referred to in the officer report and the Minutes relating to this application are therefore required to be corrected.

3.2 Conclusion

- 3.2.1 It should be noted that the Heads of Terms quoted in paragraph 8 of the officer report to the South Eastern Area Planning Committee on 5 December 2016 relating to this application should be amended in respect of the education requirements to read:

Education contribution toward secondary school transport based on the ECC standard formula.

Accordingly this is what will then be included within the draft S106 Legal Agreement.

4. BACKGROUND PAPERS

- 4.1 Report to South Eastern Area Planning Committee on 5 December 2016 (Agenda item 6).
- 4.2 Consultation response from Essex County Council (education) re application FUL/MAL/16/00299.
- 4.3 Minutes of South Eastern Area Planning Committee 5 December 2016.